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7       UNITED STATES OF AMERICA,  
8    Plaintiff,  
9    v.  
10      WALTER JAMES KUBON, et al.,  
11    Defendants.

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14    Case No. 18-cv-04788-PJH

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16    **ORDER REGARDING MOTION TO  
17    AMEND ORDER OF FORECLOSURE  
18    AND JUDICIAL SALE**

19    Re: Dkt. No. 116

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21    Before the court is plaintiff's motion to amend the court's May 2, 2019 order of  
22    foreclosure and judicial sale (Dkt. 68). No opposition has been received from  
23    defendants. Plaintiff's proposed amendments include language authorizing and directing  
24    the United States Marshal to "arrest and/or evict from the premises any and all persons  
25    who obstruct, attempt to obstruct, or interfere or attempt to interfere in any way with the  
  execution" of the court's order and permitting the United States Marshal to arrest and/or  
  eject unauthorized persons who re-enter subject property without further order of the  
  court. Dkt. 116 at 4.

26    To assist in the court's resolution of this matter, plaintiff is ordered to supplement  
27    its motion with 1) the authority under which it brings its motion to amend, and 2) the  
28    authority that permits the court to direct and authorize the United States Marshal to arrest  
  persons subject to the order.

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30    The supplemental brief shall be filed no later than seven days from the issuance of  
31    this order and shall not exceed five pages. After review of the supplemental brief and in  
32    view of the absence of an opposition brief, the court will advise whether the hearing set

1 for April 7, 2022 will be necessary.

2 **IT IS SO ORDERED.**

3 Dated: March 28, 2022

4 /s/ Phyllis J. Hamilton

5 PHYLLIS J. HAMILTON  
United States District Judge

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United States District Court  
Northern District of California